

March 9, 2018

Via ECF

Honorable Lorna G. Schofield
U.S. District Court
Southern District of New York
Thurgood Marshall Courthouse
40 Foley Square
New York, NY 10007

Re: *In re Foreign Exchange Benchmark Rates Antitrust Litigation*
Case No. 1:13-cv-07789-LGS

Dear Judge Schofield:

Pursuant to the Civil Case Management Plan and Scheduling Order entered in this action (“Scheduling Order”) (ECF No. 704), Plaintiffs and Credit Suisse Securities (USA) LLC, Credit Suisse Group AG, and Credit Suisse AG (“Credit Suisse”) submit this joint status letter.

I. Pending Motions

Presently, there are three pending motions: 1) Plaintiffs’ Motion for Issuance of a Hague Convention Request for International Judicial Assistance to Take Testimony Overseas of Mitesh Parikh dated November 17, 2017; 2) Plaintiffs’ Motion for Issuance of a Hague Convention Request for International Judicial Assistance to Take Testimony Overseas of Natalie Williams dated January 5, 2018; and 3) Plaintiffs’ Motion for Issuance of a Hague Convention Request for International Judicial Assistance to Take Testimony Overseas of Jamie Melvyn Lawes dated February 1, 2018. Plaintiffs respectfully request that such motions be granted.

II. Discovery

Because certain interim discovery completion deadlines were not met by agreement of the parties, the parties are reserving their rights under §II.E.3 of the Scheduling Order to seek an adjustment of subsequent deadlines following the completion of the productions.

A. Credit Suisse

Data: Credit Suisse and Plaintiffs have completed their meet and confers regarding the outstanding data production.

Documents: Credit Suisse substantially completed its document production with its January 2018 production.

Audio: On February 5, 2018, the parties reached agreement on Credit Suisse’s further production of audio files which was based upon Plaintiffs’ January 24, 2018 proposal to Credit

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Suisse. Credit Suisse is conferring with Plaintiffs to finalize a timeline for the production of these audio files shortly.

Depositions: Plaintiffs took a Rule 30(b)(6) deposition of Credit Suisse on corporate structure and organization on September 18, 2017. Plaintiffs scheduled an initial round of Rule 30(b)(1) deposition notices of Credit Suisse current and former employees and are in the processing of taking such depositions. Plaintiffs intend on noticing additional depositions and will work with counsel for the witnesses to schedule these depositions.

B. Plaintiffs

Plaintiffs completed the production of documents and data responsive to Defendants' First and Second Sets of Requests for the Production of Documents. Credit Suisse also served Defendants' Rule 30(b)(6) Notice of Deposition on each organizational Plaintiff and also noticed each individual Plaintiff for deposition. Plaintiffs served responses to Defendants' Rule 30(b)(6) Notice of Deposition to certain Plaintiffs and the parties have met and conferred on the responses. Credit Suisse has deposed the following Plaintiffs: United Food and Commercial Workers Union and Participating Food Industry Employers Tri-State Pension Fund (September 20, 2017); Syena Global Emerging Markets Fund, LP (October 4, 2017); Tiberius OC Fund, Ltd (October 16, 2017); Aureus Currency Fund (October 19, 2017); City of Philadelphia, Board of Pensions and Retirement (October 20, 2017); Systrax Corporation (October 20, 2017); Michael Smith (December 4, 2017); J. Paul Antonello (December 5, 2017); Richard Preschern d/b/a Preschern Trading (December 13, 2017); Doug Harvey (December 19, 2017); Michael Melissinos (January 10, 2018); Employees' Retirement System of the Government of the Virgin Islands (January 11, 2018); Haverhill Retirement Systems (January 12, 2018); Fresno County Employees Retirement Association (January 16, 2018), State-Boston Retirement System (January 18, 2018); Employees' Retirement System of Puerto Rico (February 6, 2018); Matthew Sweeney (February 12, 2018); and Peter Rives (February 23, 2018). The parties have scheduled the remaining 30(b)(6) depositions and the 30(b)(1) depositions of the individual Plaintiffs to take place in March 2018.

Plaintiffs issued subpoenas for depositions of former Credit Suisse and Standard Chartered employees. Plaintiffs have deposed David Bowen (February 2, 2018). Credit Suisse has issued subpoenas for documents and depositions of current and/or former investment managers and other third parties who provided services to Plaintiffs, including the Northern Trust Company, A.G. Bisset Associates LLC, M.S. Howells & Co., MF Global Inc., PartnersAdmin LLC, and Daniels Trading, and have begun to receive documents responsive to these subpoenas.

III. Next Joint Status Letter

The parties will submit their next joint status letter on Friday, April 6, 2018.

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Respectfully submitted,

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